

North Coast Regional Water Quality Control Board

NOTICE OF VIOLATION

March 24, 2020

Mazari Farms Inc. and
Flore Farms Inc.
Tobias Hafenecker-Dodge
60 Rausch Street #208
San Francisco, CA, 94103
lastresortsvip@gmail.com
tobiasdodge@mac.com

Dear Tobias Hafenecker-Dodge:

Subject: **Notice of Violation for Failure to Comply with Required Action No. 4. of Cleanup and Abatement Order No. R1-2019-0051(CAO)**

File: Tobias Hafenecker-Dodge, Cannabis Waste Discharge Regulatory Program, CIWQS Place ID No. 823853, Cannabis General Order, WDID 1_12CC403261

The purpose of this letter is to notify you that #1 Tooby RD LLC, #3 Tooby RD LLC, Mazari Farms Inc., Flore Farms Inc. and you (collectively, Dischargers) are in violation of the above-referenced CAO Required Action No. 4., for failure to submit a proposed Cleanup, Restoration, and Monitoring Plan (CRMP) by March 15, 2020.

A. Background

On September 27, 2019, Division Supervisor Kason Grady, on behalf of the Executive Officer of the North Coast Regional Water Quality Control Board (Regional Water Board), issued the subject CAO to the Dischargers. The CAO pertains to observed discharges and threatened discharges to receiving water associated with constructed features on your property, including a failing instream reservoir, that do not have adequate erosion and sediment controls and that were constructed without authorization from applicable federal, state, and local agencies.

On November 20, 2019, Regional Water Board staff (staff) transmitted to you a Notice of Violation of the above-referenced CAO Required Actions No. 1.b-d., for failure to submit a complete and acceptable Interim Plan by October 7, 2019, and Required Action No. 2, for failure to Implement an Interim Plan by October 21, 2019.

On November 21, 22, and 23, 2019, you emailed pictures showing work performed in response to Required Action No 1.a. These emails did not address Required Actions No. 1.b-d.

On December 2, 2019, your consultants, A.M Baird Engineering and Surveying INC., emailed a report entitled "As Built Roadway Winterization Report" (Winterization Report). The Winterization Report includes pictures of armored segments of road and aggregate in watercourses, and proposes adding a water bar and more aggregate at the culvert locations. The Winterization Report did not include the components listed in Required Action No. 1.b-d. Staff did not reply or comment on this Report.

On March 19, 2020, staff sent you an email asking about the status of your CRMP. To date, staff had not received a reply.

B. Alleged Violations

The Dischargers are in violation of CAO Required Action No. 4. for failure to submit a CRMP by March 15, 2020. To date, the Regional Water Board has not received any information to satisfy Required Action No. 4.

C. Future Enforcement

Please note that potential penalties are accrued for every day that your complete CRMP is late. These violations potentially expose you to substantial civil liability. Violations of CAO Required Actions alone may subject you to penalties ranging from \$5,000 to \$15,000 per day of violation. In the event of discharges of waste to receiving waters, penalties can increase substantially. It is in your interest to provide the outstanding CRMP that is acceptable to the Regional Water Board or its delegated officer as soon as possible to minimize the number of days the CRMP is overdue.

Tobias Hafenecker-Dodge - 3 -
Mazari Farms Inc. and Flore Farms Inc.
Notice of Violation of Order No. R1-2019-0051

March 24, 2020

If you have any questions, please contact my staff, Brian Fuller, via email at Brian.Fuller@waterboards.ca.gov or by phone at (707) 576-2806.

Sincerely,

Diana Henriouille, P.E.
Enforcement Unit, Supervisor

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March 24, 2020

cc:

Consultants for the Discharger

Kelsey McDonald, Hohman & Associates,
kmcdonald@hohmanandassociates.com

Mike Atkins, Mad River Properties Inc.,
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Peter Seidel, A.M. Baird Engineering & Surveying, Inc.
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North Coast Regional Water Quality Control Board

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